## STATE OF ILLINOIS SECRETARY OF STATE SECURITIES DEPARTMENT

IN THE MATTER OF: MIDWEST QUALITY BUILDERS,

AMBASSADOR REALTORS

ITS OFFICERS. DIRECTORS.

EMPLOYEES, AFFILIATES, SUCCESSORS, ) AGENTS AND ASSIGNS ANDJIMMY LANE

)File No. 0500070

)

)

## NOTICE OF HEARING

TO THE RESPONDENTS: Midwest Quality Builders

Ambassador Realtors

Jimmy Lane

1144 E. Crueger Rd

Washington, Illinois 61571

108 N. Davenport

Metamora, Illinois 61548

You are hereby notified that pursuant to Section 11.F of the Illinois Securities Law of 1953, [815 ILCS 5/1 et seq.] (the "Act") and 14 Ill. Adm. Code 130, Subpart K, a public hearing will be held at 300 W. Jefferson St., Suite 300A, Springfield, Illinois 62702, on the 16th day of July, 2008 at the hour of 10:00 a.m., or as soon thereafter as counsel may be heard, before Jon K. Ellis, or such other duly designated Hearing Officer of the Secretary of State. A copy of the Rules under the Act pertaining to contested cases is attached to this Notice.

Said hearing will be held to determine whether an Order of Prohibition should be entered against Midwest Quality Builders, Ambassador Realtors, their officers, directors, employees, agents, affiliates, successors and assigns and Jimmy Lane (the "Respondents") in the State of Illinois and granting such other relief as may be authorized under the Act including but not limited to imposition of a monetary fine in the maximum amount pursuant to Section 11 of the Act, payable within ten (10) days of the entry of the Order.

The grounds for such proposed action are as follows:

- 1. That Midwest Quality Builders and Ambassador Realtors are purported business entities with last known addresses of 1144 E Crueger Rd. Washington, Illinois 61571 and 108 N. Davenport Metamora, Illinois 61548.
- 2. Jimmy Lane is a officer, director, agent or employee of both Midwest Quality Builders and Ambassador Realtors.
- That from on or about December 2006 to December 2007 the Respondents offered and sold to at least 6 Illinois residents and 1 Kentucky resident New Home Building Profit Sharing Agreements that provided that for an investment of \$1,000 to \$10,000 and participation in a construction loan, the investors would receive 50% return on investment per year, described as a profit share of \$15,000 or more after the sale of the home.
- 4. New homes were to be built by Midwest Quality Builders and financed through a construction loan obtained by the investors. Investors were directed to obtain a loan from a bank recommended by the Respondents. Profit from the sale of the home after construction was to be split 50/50 with the investor and the Respondents.
- 5. The above-referenced New Home Building Profit Sharing Agreements are securities as that term is defined pursuant to Section 2.1. of the Illinois Securities Law of 1953 [815 ILCS 5/1 et seq.] (the "Act").
- 6. Section 5 of the Act provides, inter alia, that all securities except those exempt under Section 3 of the Act or those offered and sold in transactions exempt under Section 4 of the Act shall be registered with the Secretary of State prior to their offer or sale in the State of Illinois.
- 7. Section 12.A of the Act provides, inter alia, that it shall be a violation of the Act for any person to offer or sell any security except in accordance with the provisions of the Act.
- 8. Section 12.D of the Act provides, inter alia, that it shall be a violation of the Act for any person to fail to file with the Secretary of State any document or application required to be filed under the provision of the Act.

- 9. At all times relevant hereto, Midwest Quality Builders, Ambassador Realtors, their Officers, Directors, Employees, Affiliates, Successors, Agents and Assigns and Jimmy Lane failed to register their securities prior to their offer and sale in the State of Illinois.
- 10. That by virtue of the foregoing, Midwest Quality Builders, Ambassador Realtors, their Officers, Directors, Employees, Affiliates, Successors, Agents and Assigns and Jimmy Lane have violated Sections 12.A and 12.D of the Act.
- 11. Section 11.F.(2) of the Act provides, inter alia, that the Secretary of State may temporarily suspend or prohibit the offer or sale of securities by any person if the Secretary of State in his or her opinion, based upon credible evidence, deems it necessary to prevent an imminent violation of the Act or to prevent losses to investors which the Secretary of State reasonably believes will occur as a result of a prior violation of the Act.
- 12. That Section 11.E(2) of the Act provides, inter alia, that if the Secretary of State shall find that any person has violated subsection D of Section 12 of the Act, the Secretary of State may by written order prohibit the person from offering or selling any securities in this State.
- 13. That Section 11.E(4) of the Act provides, <u>inter alia</u>, that if the Secretary of State, after finding that any provision of the Act has been violated, may impose a fine as provided by rule, regulation or order not to exceed \$10,000.00 for each violation of the Act.
- 14. That by virtue of the foregoing, the Respondents, Midwest Quality Builders, Ambassador Realtors, their Officers, Directors, Employees, Affiliates, Successors, Agents and Assigns and Jimmy Lane, are subject to a fine of up to \$10,000.00 per violation, an order of censure and an order which permanently prohibits the Respondents from offering or selling securities in the State of Illinois.

You are further notified that you are required pursuant to Section 130.1104 of the Rules and Regulations (14 III. Adm. Code 130) (the "Rules"), to file an answer to the allegations outlined above or a Special Appearance pursuant to Section 130.1107 of the Rules, or other responsive pleading within thirty days of the

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receipt of this notice. Your failure to do so within the prescribed time shall be deemed an admission of the allegations contained in the Notice of Hearing and waives your right to a hearing.

Furthermore, you may be represented by legal counsel; may present evidence; may cross-examine witnesses and otherwise participate. A failure to so appear shall constitute default.

Delivery of notice to the designated representative of any Respondent constitutes service upon such Respondents.

Dated this  $4^{th}$  day of fine, 2008.

Jesse White

Secretary of State State of Illinois

Attorney for the Secretary of State: David Finnigan Illinois Securities Department 300 W. Jefferson St. Suite 300a Springfield, Illinois 62702 Telephone: (217) 785-4947

Hearing Officer: Jon K. Ellis 1035 S. 2<sup>nd</sup> St. Springfield, Illinois 62704 217-528-6835 Fax 217-528-6837